

61-80

BK 6481 PG 072

NO TRANSFER  
TAX PAID

**QUITCLAIM DEED WITH COVENANT**  
**Maine Statutory Short Form**

**012118**

OM Crystal River Associates, L.L.C., an Ohio limited liability company and OM Minot Associates, L.L.C., an Ohio limited liability company, both with a place of business at 1765 Merriman Road, Akron, Ohio 44313, for consideration paid, grant to **Waterville Commons Associates, L.L.C.**, an Ohio limited liability company, whose mailing address is 1765 Merriman Road, Akron, Ohio 44313, with Quitclaim Covenant, the land in City of Waterville, County of Kennebec, and State of Maine, referenced in Subdivision Plat Waterville Commons, Route 104 a.k.a. Main Street, as recorded in Plat Book E2001, Page 035 dated 4/19/2001, Kennebec County, Maine, and described as follows:

**LEGAL DESCRIPTION**

Fully described on attached Exhibit "A".

In witness whereof, **OM Crystal River Associates, L.L.C.**, has caused this instrument to be signed by June Futia, Vice President of OM Crystal River Capital Corp., its Managing Member, and **OM Minot Associates, L.L.C.**, has caused this instrument to be signed by June Futia, Vice President of OM Minot Capital Corp., its Managing Member, hereunto duly authorized, this 1<sup>st</sup> day of May, 2001.

Witness:

**OM Crystal River Associates, L.L.C.**  
By: **OM Crystal River Capital Corp.**  
Its: **Managing Member**

Susan M. Kernen  
Patricia Parker

By: June Futia, Vice President  
June Futia, Vice President

Witness:

**OM Minot Associates, L.L.C.**  
By: **OM Minot Capital Corp.**  
Its: **Managing Member**

Susan M. Kernen  
Patricia Parker

By: June Futia, Vice President  
June Futia, Vice President

Atlantic Title (6)

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State of Ohio )

) ss:

County of Summit )

May 1, 2001

Then personally appeared the above-named June Futia, the Vice President of OM Crystal River Capital Corp., the Managing Member of OM Crystal River Associates, L.L.C., and acknowledged the foregoing instrument to be her free act and deed in her said capacity and the free act and deed of said limited liability company.

Before me,

Yvonne Adkins, Notary Public  
State of Ohio

My Commission Expires June 24, 2004 Yvonne Adkins  
Notary Public



State of Ohio )

) ss:

County of Summit )

May 1, 2001

Then personally appeared the above-named June Futia, the Vice President of OM Minot Capital Corp., the Managing Member of OM Minot Associates, L.L.C., and acknowledged the foregoing instrument to be her free act and deed in her said capacity and the free act and deed of said limited liability company.

Before me,

Yvonne Adkins, Notary Public  
State of Ohio

My Commission Expires June 24, 2004 Yvonne Adkins  
Notary Public



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## EXHIBIT A

### SUGGESTED LEGAL DESCRIPTION "RETAIN PARCEL"

The lot herein described is a portion of a parcel of land now or formerly of Elm Plaza Corporation, as described in a deed recorded at the Kennebec County Registry of Deeds in Deed Book 3773 at Page 185 and land now or formerly of Foresite, Inc., as described in a deed recorded at the Kennebec County Registry of Deeds in Deed Book 1458 at Page 821. Said parcel being a portion of the City of Waterville Tax Assessor Map 61 as Lot 90, and a portion of the City of Waterville Tax Assessor Map 61 as Lot 80.

Commencing at a point depicted on a plan entitled "STANDARD BOUNDARY SURVEY – SHOWING TAX MAP LOTS – 61-40, 61-50, 61-60, 61-70, 61-80, 62-3 AND A PORTION OF 61-90 – IN WATERVILLE, MAINE – KENNEBEC COUNTY", prepared for Cedarwood Development, Inc., prepared by James W. Sewall Company, dated 21 July 1999, as the southeasterly corner of a parcel of land now or formerly of Foresite, Inc. Said parcel being depicted on the City of Waterville Tax Assessor Map 61 as Lot 80. Said point is marked by a rebar with a cap marked "1132", 0.9' above ground, thence;

N 09°-00'-47" W	A distance of two hundred eighteen and 26/100 (218.26') feet, to a point at the southeasterly corner of the herein described parcel. Said point being the Point of Beginning, thence;
S 65°-02'-27" W	A distance of one hundred seven two and 16/100 (172.16') feet, to a point, thence;
N 85°-09'-55" W	A distance of seven hundred sixty eight and 76/100 (768.76') feet to a point, thence;
N 04°-51'-45" E	A distance of ninety seven and 35/100 (97.35') feet to a point, thence;
N 33°-57'-44" W	A distance of four and 68/100 (4.68') feet, to a point, thence;
N 85°-09'-54" W	A distance of fifteen and 74/100 (15.74') feet, to a point, thence;

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N 04°-50'-06" E	A distance of three hundred ninety eight and 74/100 (398.74') feet, to a point, thence;
N 64°-48'-29" E	A distance of twenty two and 04/100 (22.04') feet to a point, thence;
S 85°-10'-19" E	A distance of eleven and 91/100 (11.91') feet to a point, thence;
S 85°-10'-19" E	A distance of thirty and 00/100 (30.00') feet to a point, thence;
N 04°-49'-41" E	A distance of five hundred one and 12/100 (501.12') feet, to a point, thence;
S 85°-09'-54" E	A distance of three hundred twenty three and 01/100 (323.01') feet, to a point, thence;
S 79°-47'-55" E	A distance of three hundred sixteen and 18/100 (316.18') feet, to a point ;.
S 04°-50'-06" W	A distance of two hundred ten and 51/100 (210.51') feet to a point of curvature, thence;  Southerly and easterly along a curve to the left a delta angle of 29°-48'-10," a radius of one thousand seventeen and 00/100 (1017.00') feet and an arc distance of five hundred twenty nine and 00/100 (529.00') feet, to a point of tangency, thence;
S 24°-58'-03" E	A distance of two hundred eight and 35/100 (208.35') feet, to the Point of Beginning.

The above-described parcel contains a total area of 16.98 acres, or 739,537 square feet more or less.

Please be advised that the metes and bounds used in the description above are from a Standard Boundary Survey by James W. Sewall Company. As such, Survey & Geodetic Consultants, Inc. takes no liability for any errors or omissions that may be associated with said plan.

Respectfully Submitted,  
Survey & Geodetic Consultants, Inc.

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Timothy A. Patch, PLS  
President

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Less and excepting from the foregoing described "Retain Parcel" description.



**SUGGESTED LEGAL DESCRIPTION  
PORTION OF LEASE LOT  
CONTAINED WITHIN RETAINED PARCEL**

The lot herein describe is a portion of a parcel of land now or formerly of Elm Plaza Corporation as described in a deed recorded at the Kennebec County Registry of Deeds in Deed Book 3773 at Page 185. Said parcel being depicted on the City of Waterville Tax Assessor Map 61 as Lot 90.

Commencing at a point depicted on a plan entitled "STANDARD BOUNDARY SURVEY - SHOWING TAX MAP LOTS - 61-40, 61-50, 61-60, 61-70, 61-80, 62-3 AND A PORTION OF 61-90 - IN WATERVILLE, MAINE - KENNEBEC COUNTY, prepared for Cedarwood Development, Inc., prepared by James W. Sewall Company, dated 21 July 1999, as the southeasterly corner of a parcel of land now or formerly of Foresite, Inc. Said parcel being depicted on the City of Waterville Tax Assessor Map 61 as Lot 80. Said Point of Beginning is marked by a rebar with a cap marked "1132", 0.9' above ground, thence;

N 24°-58'-03" W	A distance of two hundred nine and 86/100 (209.86') feet, along land of Foresite, Inc., to the POINT OF BEGINNING, thence;
N 24°-58'-03" W	A distance of one thousand forty two and 47/100 (1,042.47') feet, along land of Foresite, Inc., to a found rebar with a cap marked "1132", thence;
S 79°-57'-50" E	A distance of three hundred thirty three and 50/100 (333.50') feet, along land of Foresite, Inc., to a point, thence;
S 04°-50'-06" W	<p>A distance of one hundred fifty eight and 38/100 (158.29') feet to a point of curvature, thence;</p> <p>Along a curve, being further described as a tangent curve having a counter clockwise radius of one thousand seventeen and 00/100 (1017.00') feet and arc length of five hundred twenty nine and 00/100 (529.00') feet and a delta angle of 29°-48'-10", to the point of tangency, thence;</p>
S 24°-58'-03" E	A distance of two hundred eight and 35/100 (208.35') feet to a point, thence;
S 65°-02'-27" W	A distance of fifty nine and 99/100 (59.99') feet to the Point of Beginning.

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The above-described parcel contains a total area of 2.83 acres, or 123,100 square feet more or less.

Please be advised that the metes and bounds used in the description above are from a Standard Boundary Survey by James W. Sewall Company. As such, Survey & Geodetic Consultants, Inc. takes no liability for any errors or omissions that may be associated with said plan.

Respectfully Submitted,  
Survey & Geodetic Consultants, Inc.

---

Timothy A. Patch, PLS  
President